

State of California

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Legislative Change No.

07-26

Bill Number: AB 1168 Author: Jones Chapter Number: 07-627

Laws Affecting Franchise Tax Board: Section 1798.89 of the Civil Code
Section 9526.5 of the Commercial Code
Section 15705 of the Government Code

Date Filed with the Secretary of State: October 13, 2007

SUBJECT: Security Of Social Security Numbers/FTB Truncate Social Security Numbers On Lien Abstracts And Any Other Records Created By The Board That Are Disclosable Before Disclosing To Public

Assembly Bill 1168 (Jones), as enacted on October 13, 2007, made the following changes to laws impacting the Franchise Tax Board:

Section 1798.89 of the Civil Code is added.

This act prohibits any governmental agency from presenting for recoding or filing with a county recorded a document that is required to be open to the public that contains more than the last four digits of a social security number, unless it is required by state or federal law.

Section 9526.5 of the Commercial Code is added.

This act requires filing offices to create a public version of any official filing made before August 1, 2007, prior to releasing the document to the public. This act defines public filings to mean a filing that is an exact copy of an official filing except that any social security number contained in the copied filing is truncated.

Section 15705 of the Government Code is added.

This act requires Franchise Tax Board (FTB) to truncate social security numbers on lien abstracts and any other records created by FTB that are disclosable under the Public Records Act.

Assistant Bureau Director

Patrice Gau-Johnson

Date

10/31/07

Article 3.5 (commencing with Section 27300) is added to Chapter 6 of Part 3 of Division 2 of Title 3 of the Government Code.

This act establishes the Social Security Number Truncation Program within each County Recorder's Office. The program will require the county recorder to create a "public record" version of each "official record" maintained in the county recorder files. A "public record" is a record that is an exact copy of an official record except that any SSN contained in the copied filing is truncated. An "official record" is the permanent archival record of all instruments, papers, and notices as accepted for filing by a county recorder.

This act is effective on January 1, 2008, and operative as of that date.

This act will not require any reports by the department to the Legislature.